

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS**

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KATHY BELANGER, on behalf of herself and	:	
all others similarly situated,	:	
	:	Case No. 1:20-cv-3087
<i>Plaintiff,</i>	:	
	:	Hon. John J. Tharp, Jr.
v.	:	
	:	
IBERIA LINEAS AEREAS DE ESPANA S.A.	:	
OPERADORA, a foreign corporation d/b/a	:	
“Iberia”,	:	
	:	
<i>Defendant.</i>	:	
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**DEFENDANT'S MOTION TO DISMISS**

Pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure and this Court’s August 12, 2020 Order, Defendant Iberia, Líneas Aéreas de España, S.A. Operadora, Sociedad Unipersonal (“Iberia”), by its undersigned counsel, hereby moves to dismiss Plaintiff’s Class Action Complaint and Jury Demand for lack of subject matter jurisdiction and failure to state a claim on which relief can be granted. Iberia incorporates, as though fully set forth herein, its attached Brief in Support of this Motion and the Declaration of Raj N. Shah, with its exhibits, which are being filed concurrently.

Dated: September 14, 2020

Respectfully submitted,

**DLA Piper LLP (US)**

s/ *Raj N. Shah*

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**CERTIFICATE OF SERVICE**

I hereby certify that on September 14, 2020, I caused a true and correct copy of the foregoing to be filed electronically with the Clerk of the Court by using the CM/ECF system. Notice of this filing will be sent by operation of the Court's electronic filing system to all counsel of record registered on the ECF system.

Dated: September 14, 2020

Respectfully submitted,

**DLA Piper LLP (US)**

s/ Raj N. Shah

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